

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45852 of 2021

Arising Out of PS. Case No.-200 Year-2020 Thana- BIRPUR District- Supaul

AKBAR ALI Son of Abdul Kalam Resident of Muslim Mohalla, Birpur, Ward
no. 07, Police Station - Birpur, District- supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-03-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302 and some other
ancillary Sections of the Indian Penal Code.

As per the prosecution case, on 04.09.2020 the son of
informant went to Birpur by his motor cycle and with his mobile
phone and he was seen along with this petitioner and other FIR
named accused persons but he did not return. On 07.09.2020
police gave information to the informant that dead body of his
son has been found in a hut in Hahiya dhar. It is alleged that
this petitioner and co-accused, Afzal Hussain @ Banti had killed
his son and motor cycle and mobile of deceased in possession
of this petitioner and co-accused, Afzal Hussain.

Learned counsel appearing for the petitioner submits



that petitioner is innocent and has falsely been implicated in the case. It is submitted that there is no eye witness of the occurrence and petitioner has been made accused in this case only on suspicion. Charge has already been framed in this case and the case has been committed to the court of Sessions. Petitioner claims clean antecedent and is in custody since 13.10.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that during the course of investigation mobile of the deceased has been found in possession of this petitioner.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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